

REMARKS**I. Status of the Claims**

Claims 1-12 were previously canceled.

Claims 24-30 are withdrawn reserving the right to prosecute them in a continuing application.

Claims 13 and 19 are currently amended.

Claims 13-19 and 30 are pending.

II. Rejections Under 35 U.S.C. § 112 Were Withdrawn as Result of Interview

On December 11, 2003, an interview was held to move this case to allowance. A copy of the preliminary interview summary is appended. We have not yet received the full interview summary from the examiner.

- A. The written description rejection of claims 13-23 (Action pages 3-5) was withdrawn.
- B. Rejections of claims 13-22 and 30 under 35 U.S.C. § 112 second paragraph in section 12, Action pages 6-7 were withdrawn.
- C. Rejections of claims 13-22 and 30 under 35 U.S.C. § 112, second paragraph were withdrawn. Claims 13 and 19 are amended.

III. Rejections Under 35U.S.C. § 102 (b) Were Withdrawn

During the Interview, Dr. van Breemen discussed all publications cited in the previous Office Action because he is familiar with the history and content of all of them because he is part of the scientific group that prepared this. It was decided during the interview that:

- A. van Breemen *et al.* (1997) did not anticipate claims 13-21.
- B. Zhao *et al.* (1997) did not anticipate claims 13-21.
- C. Venton (U.S. Patent 5,366,862) did not anticipate claims 13-21 and 22.
- D. Venton *et al.* (U.S. Patent No. 5,872,015) did not anticipate claims 13-21 and 30.

This patent had previously been considered and overcome by applicants.

IV. Combining Venton ('862) and Venton ('015) Does Not Make Claims 13-23 and 30 Obvious.

Dr. van Breemen compared the two Venton patents to the present invention and it was decided that combining them would not produce the elements of present claims.

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For the reasons stated above, applicants understand that all claims are allowable and that this application will proceed to issue.

Please contact applicants' representative if you have any questions.

No other fees are believed due at this time, however, please charge any deficiencies or credit any overpayments to deposit account number 12-0913 with reference to our attorney docket number (21419/90386).

Respectfully submitted,



Alice O. Martin
Registration No. 35,601

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